

REMARKS

Claims 1-25 are pending and stand rejected. Claims 1-2, 4, 8-14, 16, 18-23, and 25, have been amended. These amendments were not necessary for patentability over Coile, since their language is not argued below to distinguish Coile. Claim 24 has been cancelled, and claim 26 has been added. Claims 1-23 and 25-26 are pending upon entry of this amendment.

Applicants respectfully note that the Examiner did not indicate consideration of the Information Disclosure Statements that were received by the USPTO on May 9, 2005, and June 27, 2005. (The Examiner signed the May 9, 2005, PTO-1449 form but did not initial the references.) In order to expedite prosecution of this application, Applicants have enclosed duplicate copies of these Information Disclosure Statements and stamped postcards showing that they were received by the USPTO on these dates. **Applicants respectfully request that the Examiner indicate consideration of the documents submitted with these Information Disclosure Statements by initialing the PTO-1449 forms submitted therewith, and attaching same to the next communication to Applicants.**

Claims 1-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Coile. Applicants respectfully traverse. As amended, claim 1 recites:

A method in a computer system for associating an identifier with a plurality of processes, the method comprising:
starting a first process;
associating the first process with the identifier;
creating, from the first process, a second process;
associating the second process with the identifier;
associating a third process with the identifier, wherein the third process is
not a descendant of the first process;
creating, from the third process, a fourth process; and
associating the fourth process with the identifier.

In particular, the claim recites associating both the first process and the second process with the

identifier (“associating the first process with the identifier” and “associating the second process with the identifier”).

Coile does not disclose, suggest, or teach these claimed elements. Coile discusses a process for defining a virtual machine and binding it to a physical machine and port (FIG. 4A; 10:11-27). In the Response to Amendment, the Examiner suggests that the following elements in Coile correspond to the claimed first process and second process, respectively:

- a process that “implements a process on Local Director” (Office Action, p. 6); and
- “defining virtual machines and binding them” (Office Action, p. 7).

Assume, for the sake of argument, that the above elements in Coile do correspond to the first process and the second process, respectively. The Examiner states that a virtual machine IP address/port in Coile corresponds to the claimed “identifier” (Office Action, p. 7). Assuming that is true, the claim would be interpreted as requiring that both the first process (“a process that implements a process on Local Director”) and the second process (“defining virtual machines and binding them”) be associated with an identifier (in Coile, a virtual machine IP address/port). Coile does not disclose associating either the first process or the second process (as defined above) with an identifier, so it is impossible for the Examiner to find support for this rejection in Coile. Thus, Coile, using this set of definitions, does not anticipate claim 1.

Instead, the Examiner states that “binding physical machines to virtual machines” in Coile corresponds to the claimed element “associating the second process with the identifier.” By making this statement, the Examiner thereby re-defines which elements in Coile correspond to which claimed elements (specifically, the first process, the second process, and the identifier). The Examiner is now arguing that either: 1) a physical machine corresponds to a process, and a virtual machine corresponds to an identifier, or 2) a virtual machine corresponds to a process,

and a physical machine corresponds to an identifier.

If the Examiner is arguing (1), then the claim would be interpreted as creating, from a first physical machine, another physical machine. Needless to say, this is not disclosed by Coile. If the Examiner is arguing (2), then the claim would be interpreted as using a physical machine as an identifier. This, also, is not disclosed by Coile. Thus, the Examiner's second set of definitions also does not anticipate claim 1.

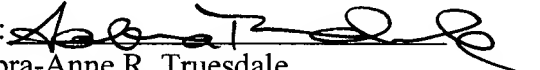
Accordingly, claim 1 is patentable over Coile. Independent claims 11, 18, 23, and 25-26 also recite similar features and are also patentable over Coile for at least the foregoing reasons.

The claims not specifically mentioned above incorporate the features of their respective base claims and are patentable for at least the same reasons.

Applicants respectfully submit that the pending claims are now allowable over the cited art of record and request that the Examiner allow this case. The Examiner is invited to contact the undersigned in order to advance the prosecution of this case.

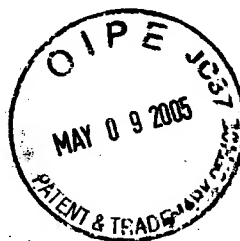
Respectfully submitted,
PAWAN GOYAL, ET AL.

Dated: 10-19-05

By: 
Sabra-Anne R. Truesdale
Reg. No. 55,687
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7187
Fax.: (650) 938-5200

Date Mailed: 5-5-05 | Atty/Par: SAT/klm | Filing Date: July 7, 2000
Application No.: 09/611,877 | Docket No.: 21816-04461
Applicants: Pawan Goyal et al.
Title: Associating Identifiers With Virtual Processes
Please imprint Patent Office "date stamp" hereon to indicate receipt and return card to addressee.

Transmittal
IDS, PTO/SB/08A





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pawan Goyal et al.

APPLICATION NO.: 09/611,877

FILING DATE: July 7, 2000

TITLE: Associating Identifiers With Virtual Processes

EXAMINER: Sunray Chang

GROUP ART UNIT: 2121

ATTY. DKT. NO.: 21816-04461

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 5-5-05

By: Sabra-Anne R. Truesdale
Sabra-Anne R. Truesdale, Reg. No.: 55,687

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☒ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing

PATENT

date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:

☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR

☒ Applicant certifies pursuant to 37 CFR § 1.97(e) that:

☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR

☒ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;

☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:

☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:

☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;

☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated

PATENT

under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

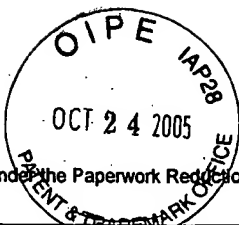
- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____, filed on _____, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
Pawan Goyal et al.

Dated: 5-5-05

By: Sabra Anne R. Truesdale
Sabra-Anne R. Truesdale, Reg. No.: 55,687
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7187
Fax.: (650) 938-5200



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application No.	09/611,877
				Filing Date	07/07/2000
				First Named Inventor	Pawan Goyal
				Art Unit	2121
				Examiner Name	Sunray Chang
Sheet	1	of	1	Attorney Docket Number	21816-04461

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No.	Document No. Number - Kind Code ² (if known)	Date MM-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-6,647,422	11-2003	Wesinger et al.
	A2	US-6,725,456	04-2004	Bruno et al.
	A3	US-6,760,775	07-2004	Anerousis et al.
	A4	US-6,820,117	11-2004	Johnson, Christopher L.

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

21816/04461/DOCS/1485400.1

Date Mailed: 6-21-05

Atty/Par: SAT/klm

Filing Date: July 7, 2000

Application No.: 09/611,877

Docket No.: 21816-04461

Applicants: Pawan Goyal et al.

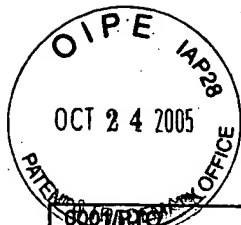
Title: Associating Identifiers With Virtual Processes

Please imprint Patent Office "date stamp" hereon to indicate receipt and return card to addressee.

Transmittal

IDS, PTO/SB/08A





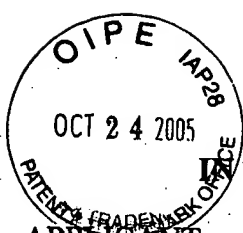
PTO/SB/21 (modified)
Approved for use through xx/xx/xx, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	U.S. Department of Commerce Patent and Trademark Office Rev. 10/95	Application Number	09/611,877
		Filing Date	July 7, 2000
		First Named Inventor	Pawan Goyal
		Group Art Unit Number	2121
		Examiner Name	Sunray Chang
Total Number of Pages in This Submission	5	Attorney Docket Number	21816-04461

ENCLOSURES (check all that apply)	
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) []
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited Reference	<input type="checkbox"/> _____
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> _____
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/> _____
<input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final	<input type="checkbox"/> _____
<input type="checkbox"/> Status Request	<input type="checkbox"/> _____
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> _____
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT		
Signature:		
Attorney/Reg. No.:	Sabra-Anne R. Truesdale, Reg. No. 55,687	Dated: 6-21-05

CERTIFICATE OF MAILING		
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.		
Signature:		
Typed or Printed Name:	Sabra-Anne R. Truesdale	Dated: 6-21-05
Express Mail Mailing Number (optional):		



THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Pawan Goyal et al.
APPLICATION NO.: 09/611,877
FILING DATE: July 7, 2000
TITLE: Associating Identifiers With Virtual Processes
EXAMINER: Sunray Chang
GROUP ART UNIT: 2121
ATTY. DKT. NO.: 21816-04461

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 6-21-05

By: Sabra-Anne R. Truesdale
Sabra-Anne R. Truesdale, Reg. No.: 55,687

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☒ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing

PATENT

date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:

☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR

☒ Applicant certifies pursuant to 37 CFR § 1.97(e) that:

☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR

☒ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;

☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:

☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:

☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;

☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated

PATENT

under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

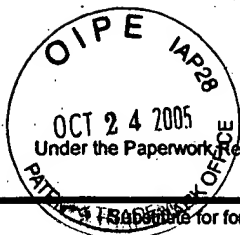
- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____, filed on _____, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
Pawan Goyal et al.

Dated: 6-21-05

By: Sabra Anne R. Truesdale
Sabra-Anne R. Truesdale, Reg. No.: 55,687
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7187
Fax.: (650) 938-5200



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****Complete if Known**

Application No.	09/611,877
Filing Date	07/07/2000
First Named Inventor	Pawan Goyal
Art Unit	2121
Examiner Name	Sunray Chang
Attorney Docket Number	21816-04461

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No. Number - Kind Code ² (if known)	Date MM-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-5,961,582 A	10-1999	Gaines, R. Stockton
	A2	US-6,449,652 B1	09-2002	Blumenau et al.

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶

OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

21816/04461/DOCS/1485400.1

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☒ FADED TEXT OR DRAWING
- ☒ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.